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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF WASHINGTON

8 UNITED STATES OF AMERICA, )  
9 Plaintiff, ) NO. CR-05-0035-LRS  
10 -vs- ) ORDER DENYING MOTION FOR  
11 MUHAMMED ZBEIDA TILLISY, ) RECONSIDERATION  
12 Defendant. )  
13

14 Having moved for reconsideration of this Court's order denying his  
15 request for counsel and a modified sentence, Muhammed Tillisy has  
16 submitted medical records and what he represents as letters from Dr.  
17 Richard G. Ellenbogen of the University of Washington, Department of  
18 Neurological Surgery and Warden J.L. Norwood of the Federal Corrections  
19 Center at Victorville, California, where Mr. Tillisy resides.

20 The medical records submitted predate Mr. Tillisy's conviction and  
21 appear to be copies of materials provided to U.S. Probation prior to  
22 sentencing. The letters from Warden Norwood and Dr. Ellenbogen were new  
23 and, on their face, of concern to the Court. However, because of  
24 misspellings and the nature of the wording used, this judicial officer  
25 asked U.S. Probation to make contact with the individuals involved to  
26 determine authenticity.

1 As matters have turned out, neither Dr. Ellenbogen nor Warden  
2 Norwood wrote the letters involved nor were their signatures genuine.  
3 In short, Mr. Tillisy has created and filed false documents with the  
4 Court in an attempt to obtain a modified sentence. While the Court must  
5 be as objective as possible, the unfortunate effect of his misguided  
6 effort has resulted in the loss of his credibility on the issues  
7 presently pending before this Court. Additionally, despite claims of no  
8 treatment for his condition, information reaching this Court from staff  
9 physician J.F. Fernandez, M.D., directly contradicts the claims made by  
10 the defendant. A copy of the memorandum from the staff physician, with  
11 redaction of his signature and phone number, is attached hereto.

12 For the reasons set forth above, the motion for reconsideration (Ct.  
13 Rec. 102) is hereby **DENIED** with prejudice.

14 **IT IS SO ORDERED.** The District Court Executive is hereby directed  
15 to file this Order and furnish copies to defendant.

16 DATED this 4th day of May, 2007.

17 ***s/Lonny R. Suko***

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19 LONNY R. SUKO  
20 UNITED STATES DISTRICT JUDGE  
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U.S. Department of Justice

Federal Bureau of Prisons

Federal Correctional Complex

Health Services Dept.

Victorville, California 92394

April 04, 2007

MEMORANDUM TO: HONORABLE JUDGE SUCO, YAKIMA, WA

THRU: U.S. MARSHALS SERVICE, AGENTS S. THOMPSON/J.  
MARTY

FROM: J. F. ~~Per~~ fernandez MD (Staff Physician) FCC, VICTORVILLE, CA

SUBJECT: Medical Care and status of inmate Tillisy #11100-085

Your Honor, I have been in charge of caring for inmate Tillisy # 11100-085 here at the U.S.P. Victorville Complex. He has been cared for well and is in NO immediate danger that could jeopardize his health. He has a condition know as Pseudo Tumor Cerebri (False Tumor of the Brain) this is because a part of his brain that normally produces cerebral spinal fluid generates an excessive amount of this fluid and it acts upon the brain as a brain Tumor increasing intra cranial pressure without actually being a Tumor. It causes visual acuity problems due to Papilledema as well as occasional nausea. The inmate has a pressure release shunt that in the past has given us some problems due to getting clogged up but we have been able to clear it, he has been sent out to the local as well as specialized hospitals to have multiple CT scans which have been normal status for his condition and has been monitored frequently. He is taking medications to minimize his symptom all be they a bit exaggerated occasionally by the inmate. We have done a 770 request of transfer to a medical facility in order that an elective procedure to replace the partially defective shunt which intermittently obstructs can be replaced. I have successfully cleared the shunt and checked the inmates retinas and he has been accepted to the medical center, pending bed space and trip authorization. If further information is needed please do not hesitate to contact me at , I can also provide evidence of recent contact with the inmate and medical care as well as evaluation and studies reports.